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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MELISSA M. GLANBLOCKY,

                 Plaintiff,

          v.

MICHAEL ASTRUE, Commissioner of
Social Security,

              Defendant.

CASE NO. C09-5149RJB

ORDER

The Court, having reviewed the record, does hereby find and ORDER:

(1) Plaintiff's application to proceed in forma pauperis was granted by the court, and the court explained it is plaintiff's responsibility to properly serve copies of the complaint along with the appropriate summons as required by Rule 4 of the Federal Rules of Civil Procedure. Rule 4(m) of the Federal Rules of Civil Procedure requires a defendant to be served within 120 days after the complaint is filed. Fed. R. Civ. P. Rule 4(m). Rule 4(l) requires proof of service to be filed or made to the court. Fed. R. Civ. P. Rule 4(l). At this time the record does not show that the complaint has been properly served.
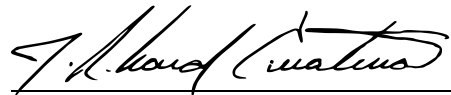
(2) With regard to a social security complaint, Rule 4(i) requires plaintiff to serve a summons and copy of complaint on the following entities: (a) the United States attorney for the district in which the action is brought or to an assistant United States attorney or clerical

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employee designated by the United States attorney in a writing filed with the clerk of the court or the civil process clerk at the office of the United States attorney; (b) the Attorney General of the United States at Washington, District of Columbia; and (c) the officer or agency.

(3)   Rule (4)(m) requires the court to provide notice to the plaintiff before the matter can be dismissed for lack of prosecution under that rule. Accordingly, plaintiff is hereby notified that proof of service must be made to the court **by not later than October 21, 2009**. Otherwise, the court will recommend dismissal of this case for failure to prosecute the matter

(4)   The Clerk is directed to send copies of this Order to plaintiff's counsel.

DATED this 28th day of September, 2009.

J. Richard Creatura
United States Magistrate Judge

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